

Revised

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
TUESDAY, MAY 30, 2006
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meetings, adopted on February 28, 2005, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. **Public testimony for this Closed Session Agenda will be taken today during the 2:00 p.m. Council meeting.**

Conference with Legal Counsel - existing litigation, pursuant to California Government Code section 54956.9(a):

CS-1 *Building Industry Association of San Diego County, Inc. v City of San Diego*
San Diego Superior Court Case No. GIC 817064

DCA: D. Karlin

In this matter, the Building Industry Association of San Diego County, Inc., challenges the City of San Diego’s Inclusionary Affordable Housing Regulations [Ordinance], codified at Chapter 14, Article 2 of the San Diego Municipal Code [SDMC]. The Building Industry Association asserts various claims against the validity of the Ordinance, including claims the Ordinance’s waiver provision is insufficient under prevailing constitutional standards. In closed session, the City Attorney will update the City Council on the litigation’s status and discuss proposed amendments to the Ordinance.

CS-2 *McGuigan v. City of San Diego*
San Diego Superior Court Case No. GIC849883

CA M. Aguirre/D. McGrath

This lawsuit was filed on behalf of a retired City employee against the City of San Diego requesting that the Court order the City to immediately pay all past unfunded pension liability to the retirement system. In closed session, the Mayor and City Council will receive a briefing on the matter and request appropriate action.